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20 Attorneys for Defendant GrubHub, Inc.

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**UNITED STATES DISTRICT COURT**  
**FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

AMERANTH, INC.

Plaintiff,

v.

PIZZA HUT, INC., et al.

Defendants.

Civil Action No.: 11cv1810 DMS-WVG  
[and consolidated cases]

[Complaint filed August 15, 2011]

**EX PARTE MOTION TO WITHDRAW  
COUNSEL (DAVID LESHT)**

AND RELATED COUNTERCLAIMS.

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1       **TO THE COURT AND ALL PARTIES:**

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3           PLEASE TAKE NOTICE that pursuant to Local Rule 83.3, The Law Offices of Eugene  
4       M. Cummings PC and attorney David Lesht hereby move to withdraw as co-counsel for  
5       Defendant GrubHub, Inc. Plaintiff Ameranth, Inc. does not oppose this motion. Defendant  
6       GrubHub, Inc. does not object and will continue to be represented by other existing counsel of  
7       record.

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9       DATED: December 9, 2013. THE LAW OFFICES OF EUGENE CUMMINGS PC

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11       By: s/ David Lesht  
12           David Lesht (*Pro Hac Vice*)  
13           The Law Offices of Eugene M. Cummings PC  
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18           Attorneys for Defendant GRUBHUB, INC.  
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1                   **CERTIFICATE OF SERVICE AND DECLARATION OF SERVICE PURSUANT TO**  
2                   **LOCAL RULE 83.3**

3                   I hereby certify that on December 9, 2013, I caused a true and correct copy of the  
4                   foregoing to be served by electronic means, via the Court's CM/ECF system, on all counsel  
5                   registered to receive electronic notices.

6

7                   In addition, pursuant to Local Rule 83.3, I caused the foregoing to be served on Defendant  
8                   GrubHub, Inc.:

9                   Ethel Spyros, Esq.  
10                  GrubHub, Inc.  
11                  111 West Washington Street  
                      Chicago, Ill. 60602

12                  I declare under penalty of perjury under the laws of the United States of America that the  
13                  foregoing is true and correct.

14                  Executed on December 9, 2013 at Chicago, Illinois.

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17                  \_\_\_\_\_  
18                  s/ David Lesht  
19                  Attorney for Defendant GrubHub, Inc.  
20                  Email: dlesht@emcpc.com

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